



1625

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:
William H. Miller et al.

Atty Docket No.: IPT-071.01

Serial No: 10/089,739

Art Unit: 1625

Filed: October 6, 2000

Examiner: Not Known

For: *Fab I Inhibitors*

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 18, 2003.


John Barretto

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.97 (b)(3)

Sir:

Submitted herewith on Form PTO-1449 is a list of publications known to Applicants and/or their Attorney/Agent in compliance with the requirement of 37 C.F.R § 1.56. A copy of each publicly available document is also being submitted herewith.

Applicants have cited for the Examiner's consideration certain issued U.S. patents and co-pending U.S. patent applications that are owned at least in part by the assignee of this application, that describe subject matter related to the present invention. The co-pending applications are listed herewith in accordance with M.P.E.P. 609 III.D which states: "Applicants may wish to list U. S. patent application numbers on other than form PTO-1449 or PTO/SB/08A and 08B format to avoid the application numbers of pending applications being published on the patent. If a citation is not printed on the patent but has been considered by the examiner in accordance with this section, the patented file will reflect that fact as noted in subsection III.C(2) above."

No copies of the co-pending applications have been provided. If the Examiner wishes to have copies of the co-pending applications, Examiner should contact the Attorney of record. Applicants respectfully request that the Examiner consider these listed documents and indicate that each was considered by making appropriate notations on this Information Disclosure Statement.

Examiner Initials	Our docket no.	S.N.	Title	Filing Date	Status	Document Enclosed
	IPT-064.01	10/407,028	Methods of Agonizing and Antagonizing Fab K	4 April 2003	Pending	no
	IPT-067.01	09/959,172	Fab I Inhibitors	19 April 2000	Issued: U.S. Pat. 6,503,903	yes
	IPT-067.02	10/292,687	Fab I Inhibitors	12 November 2002	Pending: continuation of '903 patent	no
	IPT-068.01	09/979,560	Disubstituted Imidazoles Useful in the Treatment of Bacterial Infections	24 May 2000	Issued: U.S. Pat. 6,559,172	yes
	IPT-068.02	10/339,092	Disubstituted Imidazoles Useful in the Treatment of Bacterial Compounds	9 January 2003	Pending: continuation of the '172 patent	no
	IPT-069.01	09/980,369	Antibacterial Compounds	1 June 2000	Issued: U.S. Pat. 6,573,272	yes
	IPT-069.02	10/429,923	Antibacterial Compounds	5 May 2003	Pending: continuation of the '272 patent	no
	IPT-070.01	10/089,755	Fab I Inhibitors	6 October 2000	Pending	no
	IPT-072.01	10/089,740	Fab I Inhibitors	6 October 2000	Allowed	No
Date Considered:				Examiner's Name:		

Applicants have listed dates of publication on the attached PTO-1449 for the cited documents based on information presently available to the undersigned. However, the listed publication dates should not be construed that the information in the cited documents was actually published or otherwise publicly available on the date indicated.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form 1449.

This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that each or all of the listed documents are material or constitute "prior art." Further, if the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Moreover, the Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Under 37 C.F.R. §1.97(b)(3), no additional costs are believed to be due in connection with the filing of this disclosure. If, however, a first Office Action on the merits issues in this application bearing a mailing date prior to the date of this Information Disclosure Statement, please charge the appropriate fee as required under 37 C.F.R. 1.17(p) to our **Deposit Order Account No. 06-1448**.

Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at (617) 832-1000.

Respectfully submitted,

FOLEY HOAG LLP

By: 

Theresa C. Kavanaugh
Reg. No. 50,356
Agent for Applicants

Dated: July 18, 2003
Customer No.: 25181
Patent Group
Foley Hoag LLP
155 Seaport Boulevard
Boston, MA 02210-2600
Telephone: (617) 832-1000
Facsimile: (617) 832-7000

Form PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

Docket Number (Optional)

IPT-071.01

Application Number

10/089,739

Applicant

Miller et al.

Filing Date

October 6, 2000

Group Art Unit

1625

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	CC	3,828,068	08/06/74	Minieri, P.		
	CD	4,154,943	05/79	Kuehne		
	CE	4,977,159	12/90	Sevrin et al.		
	CF	5,614,551	03/25/97	Dick et al.		
	CG	5,624,941	04/29/97	Barth et al.		
	CH	5,985,867	11/16/99	Rodgers et al.		
	CI	6,346,391	02/12/02	Oethinger et al.		
	CJ	6,372,752	04/16/02	Staveski et al.		
	CK	6,451,816	09/17/02	Biedermann et al.		

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	CL	WO 95/18619	07/95	PCT			
	CM	WO 96/00730	01/96	PCT			
	CN	WO 97/48696	12/24/97	PCT			
	CO	WO 01/26652	04/19/01	PCT			
	CP	WO 01/26654 A1	04/19/01	PCT			
	CQ	WO 01/27103 A1	04/19/01	PCT			

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages Etc.)

	CR	Abou-Gharbia et al., "Psychotropic Agents: Synthesis and Antipsychotic Activity of Substituted B-Carbolines," J. Med. Chem., 30(6):1100-1115 (1987)
	CS	Ahsan et al., "Reserpine Analogues: Synthesis of B-Carboline Derivatives," J. Chem. Soc., pp. 3928-3920 (1963)
	CT	Database CA on STN, AN 7:66733, Rosenmund et al., "Chemistry of indole II...", Chem Ber. 103(2): 496-509 (1970)
	CU	Database CAOLD on STN, AN CA51:10524d, Hellman et al., "N-Mannich bases (VI) condensation...", Direct Submission (1953)

EXAMINER

DATE CONSIDERED

EXAMINER: * Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

Form PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

Docket Number (Optional)

IPT-071.01

Application Number

10/089,739

Applicant

Miller et al.

Filing Date

October 6, 2000

Group Art Unit

1625

U.S. PATENT DOCUMENTS

EXAMINER	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
CV	6,469,046	10/22/02	Daines et al.			
CW	6,503,903	01/07/03	Miller et al.			
CX	6,503,908	01/07/03	Maw, G.			
CY	6,559,172	05/06/03	Heerding et al.			
CZ	6,573,272	06/03/03	Miller et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
DA	WO 01/48248	07/05/01	PCT				
DB	WO 02/42273	05/30/02	PCT				
DC	WO 02/48097	06/20/02	PCT				

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages Etc.)

DD	Database CAPLUS on STN, An 1977:439214. Misztal et al., "Synthesis and pharmacologic properties of pyridoyl...", <i>Arch Immuno Ther Exp.</i> 24(6): 851-862 (1976)
DE	DATABASE Crossfire Beilstein, 1966, Database accession no. 2819049, 2819050, XP002216033
DF	Himmer et al., "Synthesis and Antibacterial in Vitro Activity of Novel Analogues of Nematophin," <i>Bioorganic & Medicinal Chemistry Letters</i> , 8(15): 2045-2050 (August 1998)
DG	Miller et al., "Discovery of Aminopyridine-Based Inhibitors of Bacterial Enoyl-ACP Reductase (FABI); <i>J. Med. Chem.</i> 2002, Vol. 45, pps. 3246-3256
DH	Misztal et al., "Synthesis and Pharmacologic Properties of Pyridol Derivatives of 3-Methylaminoindole 2-Methyltryptamine and Isotryptamine," <i>Archivum Immunologiae et Therapiae Experimentalis</i> , 24(6): 851-852 (1976)
DI	Pachter et al., "The Chemistry of Hortiamine and 6-Methoxyhetsinine," <i>J. Amer. Chem.</i> , 83:635-642 (1961)
DJ	Rehse et al., "Dopaminanalogs 1,2,3,4-Tetrahydro-B-Carboline," <i>Arch. Pharm.</i> , 311(1):11-18 (1978)
DK	Shoji et al., "Two Novel Alkaloids from Evodia Rutaecarpa," <i>J. Natural Products</i> , 52(5):1160-1162 (1989)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.